

REMARKS

Claims 2-8 and 16 are currently pending in the application, of which claim 16 is an independent claim.¹ Applicant appreciates the indication that claim 2 contains allowable subject matter, and that the parallel method claim(s) also contain(s) allowable subject matter.

In view of the above amendments and the following Remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Drawing Objection

In the Office Action, the drawings were objected to as using two reference characters to refer to the same feature in contravention of 37 CFR 1.84(p)(4). Applicant has amended the specification to remedy the typographical error that created this apparent problem.

Similarly, in the Office Action, the drawings were objected to because they fail to show numeral “53.” Again, Applicant has amended the specification to remedy the typographical error that created this apparent problem.

Accordingly, Applicant respectfully requests withdrawal of the drawing objections.

¹ The Examiner has withdrawn claims 10-15 and 17 from consideration. Claim 17 is also an independent claim. Applicants respectfully suggest that this withdrawal of those claims is improper, because there is no real burden on the Examiner to additionally examine these claims.

Claim Objection

In the Office Action, claim 2 was objected to as depending from a rejected base claim. In view of the arguments that follow, Applicant believes that this objection is moot, because claim 16 (from which claim 2 depends) also contains patentable subject matter.

Accordingly, Applicant respectfully requests withdrawal of the objection for claim 2.

Rejections Under 35 U.S.C. §112, second paragraph

Claims 5 and 8 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Applicant respectfully traverses this rejection for at least the following reasons.

The Examiner states that it is not clear how the concave part “are circular or rectangular in shape.” Office Action, p. 3, ¶5. Applicant respectfully points out this language is adequately explicated by the specification. This can be seen, for example, by looking at the illustrative diagram shown in FIG. 1(d). In that drawing, element 12a may correspond to the concave part. In that example the shape of the concave part is roughly square, but it could be manufactured in other shapes such as the circular (or, if you prefer, semicircular) shape more often used in the area of optics. Accordingly, Applicant respectfully indicates that the claim language is clear on its face, and further in clear of the examples shown in the specification.

Applicant respectfully submits that claims 5 and 8 fully comply with the requirements of 35 U.S.C. §112, second paragraph. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §112, second paragraph rejection of claims 5 and 8.

Rejections Under 35 U.S.C. §103

Claims 2-8 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,769,908 issued to Griffen (“*Griffen*”) in view of the Examiner’s understanding of the knowledge in the art. Applicant respectfully traverses this rejection for at least the following reasons.

In order to render a claim obvious, the combination of cited references must teach each and every element of the claimed invention and must provide teaching, motivation or suggestion to combine. Nat'l Steel Car, Ltd. v. Canadian Pac. Rwy., 357 F.3d 1319, 1337 (Fed. Cir. 2004) (citing Ecologchem, Inc. v. S. Cal. Edison Co., 227 F.3d 1361, 1371 (Fed. Cir. 2000)). This motivation must be based on the knowledge in the art, not knowledge provided by the application under examination, because such hindsight reconstruction is forbidden. In re Fine, 837 F.2d 1071, 1075 (Fed. Cir. 1988).

Applicants respectfully observe that the Examiner’s use of her own knowledge is not a proper reference to cite against the application, because it does not fall within any of the categories of prior art under 35 U.S.C. §102. Most important in the present case may be the motivation to combine. The motivation to combine must be found in the art, not in the Applicant’s disclosure, as here.

Moreover, Applicant thanks the Examiner for the indication that the cited reference does not teach that the metal layer has a concave part. The Examiner asserts that it would be obvious that the metal layer would be concave because it would take the shape of the layer that it is bonded to. Office Action, p. 4, second paragraph. However, *Griffen* does not say that the metal layer is bonded to the grooved outer portion. Indeed, quite the opposite, a locking technique is

used to position the metal layer, and nothing is said of the shape that the metal layer must, would, or should take. Indeed, because the layer is “locked” into place, there would be no need in *Griffen* for the layer to have any particular shape, as long as the locking strip could hold it in place.

Additionally, Applicant strongly disagrees with the Examiner’s apparent characterization that every joining technique is a welding technique. In particular, the cited reference does not teach welding the screen into place, it suggests locking it into place with an interference (friction-based) method. On the contrary, although the cited reference does not teach welding the metal mask into place, it actually teaches away from using welding techniques. See, for example, *Griffen*, Col. 1, ll. 32-37 (indicating that welded screens do not have satisfactory flexibility). Indeed, in the Examiner’s remarks regarding welding in the 103 rejection, the Examiner seems to implicitly appreciate that the device of *Griffen* is not welded. And, as previously explained, there is not only no motivation to combine welding with *Griffen*’s device, *Griffen* actually teaches away from such combination.

Moreover, Applicant observes that Griffen does not disclose a metal layer having grooves. Particularly, Griffen does not disclose a welding portion that is positioned within a substrate and a concave part in which a metal mask and support frame are welded together. Applicant further notes that the present application discloses, *inter alia*, a mask structure having a concave part in a welding portion between the metal mask and the frame. Accordingly, the height of a produced welding flash may be lower and may barely protrude from the surface of the mask that is to be in contact with the substrate.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of claims 2-8 and 16. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claims 16, and all the claims that depend from it are allowable.

Allowable Subject Matter

Applicant appreciates the indication that claim 2 and its parallel claim(s) contain(s) allowable subject matter. As the independent claim from which claim 2 depends should be allowed, accordingly, Applicant submits that claim 2 is also in condition for allowance.

CONCLUSION

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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